

IN RE: PETITION FOR ZONING VARIANCE  
5/8 of Baker Lane, 500' SE  
of the c/l of Breen Court  
(4029 Baker Lane)  
11th Election District  
5th Councilmanic District  
Robert L. Bonhoff, et ux  
Petitioners

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-496-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 0 feet in lieu of the required 8 feet, and a minimum distance from the building to the centerline of the street of 49.6 feet in lieu of the required 50 feet, for a proposed attached garage in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 27-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of June, 1990 that the Petition for Residential Variance to permit a side yard setback of 0 feet in lieu of the required 8 feet, and a minimum distance from the building to the centerline of the street of 49.6 feet in lieu of the required 50 feet for a proposed attached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage addition shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

June 26, 1990



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Robert L. Bonhoff  
4029 Baker Lane  
Baltimore, Maryland 21236

RE: PETITION FOR ZONING VARIANCE  
5/8 Baker Lane, 500' SE of the c/l of Breen Court  
(4029 Baker Lane)  
11th Election District - 5th Councilmanic District  
Robert L. Bonhoff, et ux - Petitioners  
Case No. 90-496-A

Dear Mr. & Mrs. Bonhoff:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File

## PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1B01.2.C.4 of B.C.Z.R. 1955 to allow a side yard setback of zero feet in lieu of 8

feet and a minimum distance from the building to centerline of street of 48 feet, 6

inches in lieu of 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Signature

Address

Attorney's telephone number:

ORDERED by the Zoning Commissioner of Baltimore County, this 15 day of July, 1990, that the subject matter of this petition be posted on the property on or before the 15 day of July, 1990.

PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 15 day of July, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15 day of July, 1990, at 10:00 o'clock.

ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

DATE: \_\_\_\_\_

Mr. & Mrs. Robert L. Bonhoff  
4029 Baker Lane  
Baltimore, Maryland 21236

Re:

Case Number: 90-496-A  
Location: 4029 Baker Lane  
Petitioner(s): Robert L. Bonhoff, et ux

Dear Petitioner(s):

No hearing having been requested by your neighbors or by the Zoning Commissioner, the above matter has completed the Administrative process.

Please bring the sign and post to 111 W. Chesapeake Avenue, Towson, Maryland, Room 113 at your earliest convenience. When you return the sign and post, you will be given a copy of the written Order relative to this case.

Thank you for your cooperation.

Very truly yours,

E. G. Stephens

(301) 887-3391

Attachment to Residential Variance

Based on existing zoning rules I cannot place an attached garage on my property at 4029 Baker Lane.

I have four children, three that drive and have their own cars. With only a two pad parking strip in front of our house we have to park on the street in front of the house (dead end street). If allowed to build an attached garage, we can park all cars on our property thus freeing parking on the street.

I cannot place the garage on the back/side of our property because the backyard is extremely small (level ground in backyard is app. 20' x 40'). Coupled with the limited space we would have to remove several trees which would eliminate shade and privacy.

Steps taken and expenses paid to prepare for zoning and variance changes:

1. Verified with Baltimore County Department of Public Works and Gas Utility that no storm drain and/or public utilities exist in easement.
2. Purchased 15' x 30' of ground from neighbor to comply with 15' minimum clearance.
3. Re-located gas and electric meter from side to front of house.

#### Description

Plot of Property known as 4029 Baker Lane, also known as Lot #1 Block A as shown on Plat of "Silvergate Village North" and recorded among the Land Records of Baltimore County in Plat Book 35, Folio 63.

Typical notes and bounds: S51°31'42"E 82.31', N36°22'12"E 50.00', S51°31'42"E 82.31', S36°40'10"W 50.00'

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Townson, Maryland

District: 11.74 Date of Posting: 7/4/90  
Posted for: Variance  
Petitioner: Robert L. Bonhoff, et ux  
Location of property: 4029 Baker Lane  
Location of Sign: 4029 Baker Lane  
Remarks: Property of Robert L. Bonhoff, et ux  
Posted by: [Signature] Date of return: 7/18/90  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Townson, Maryland 21204

Account: R001-6150  
Number

receipt

No 2153

Date

H5000301

PURCHASE ORDER

Q10 - ZONING VARIANCE - 1 PL

LAST NAME OF OWNER: BONHOFF

B 8150\*\*\*\*\*3560A 4240F

Cashier Validation:

Please make checks payable to: Baltimore County



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 11, 1990



Mr. & Mrs. Robert L. Bonhoff  
4029 Baker Lane  
Baltimore, Maryland 21236

Dennis F. Rasmussen  
County Executive

Re: \*CASE NUMBER: 90-496-A  
ITEM NUMBER: 361  
LOCATION: 4029 Baker Lane

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case numbers. \*Any contact made to this office should reference this number.

After the closing date to file a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising and reposting of the property and a public hearing to be scheduled approximately 30 - 45 days from receipt of said notice.

OR

2) Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

*J. Robert Haines*  
J. Robert Haines  
Zoning Commissioner

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 16, 1990



Mr. & Mrs. Robert L. Bonhoff  
4029 Baker Lane  
Baltimore, MD 21236

Dennis F. Rasmussen  
County Executive

RE: Item No. 361, Case No. 90-496-A  
Petitioner: Robert L. Bonhoff, et ux  
Petition for Residential Variance

Dear Mr. & Mrs. Bonhoff:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this

8th day of May, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Robert L. Bonhoff, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: 1990

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Robert L. Bonhoff, et ux, Item No. 361  
Zoning Petition No. 90-496-A

The Petitioners request a residential Variance to front and side yard setback requirements in order to construct a garage.

In reference to this request, staff offers the following comments:

- This office has no objection to the proposed variances. However, the site plan does not reflect the zero foot side yard setback requested by the Petitioner.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500

Paul H. Reincke  
Chief

MAY 10, 1990



J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Dennis F. Rasmussen  
County Executive

RE: Property Owner: FOREST L. BONHOFF  
Location: #4029 BAKER LANE  
Item No.: 361 Zoning Agenda: MAY 15, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

- SEC. 22-2.1.2.

REVIEWER: *Paul H. Reincke* Noted and Approved  
Planning Group Special Inspection Division Fire Prevention Bureau

JK/KEK

MAY 10 1990

### Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: SILVERGATE VILLAGE NORTH  
Subdivision name: plat book 35, folios 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

OWNER: ROBERT & MARY BONHOFF

